

Calvert Papers. but 24 howres by an Enemie, if retaken by the Crowne, they are prize and this place was more than 24 yeares in the hands of the Dutch, not demanded of them. This made his Royall highnesse take out fresh Pattents, vpon the opinion of Council (since the late Conquest) for his Territories in America. Nor is the L<sup>d</sup> Baltemore in the Condiçōn of an ordinary Subject (in whose fauor something might be alledged) for he hath Regalia Principality, though Subordinate to the King as his Stile shows, and I conceive he is bound to keepe his owne Dominions or else loose them; and if lost to a forreigner, and taken by the Soueraigne, the Soueraigne hath the Right an other Conqueror Could plead. This is the present Ius Gentium, and Law of nations, which in forreigne Acquests preuail-eth, and the King accordingly hath granted it under his great Seale to his Royall highnesse. And if there were noe truth in this, but the L<sup>d</sup> Baltemores Pattent were Title good enough for what was actually anothers before, and which he neuer enjoy'd since Conneticott Collony might put in for New York, as reasonably as the L<sup>d</sup> Baltemore can for Delaware; their Pattent haueing that part of the Dutch Territory within its bounds on the same mistake, which is yet out of dispute from the L<sup>d</sup> Baltemores owne Pattent, that saith, New England begins where he leaueth which being at 40 North Lattitude, it followes, that New York and part of East and West Jersey and Pensiluania will fall to New England.

13. I shall Conclude with this, That the King by Articles of peace betweene him and the States of holland, is the allow'd Owner of all that Territory in America, once called New Netherland, of which this is a part: He hath bin graciously pleased to grant it by two Pattents, and this in Controversy, by one vnder the great Seale of England to his dearest Brother James Duke of York and Albany &<sup>ca</sup> and his Royall Highnesse out of his Princely goodnes and singular Regard he was pleased to have to the services and Losses of my deceased father hath interested me in part of the same Soe that he is Lord (and I am tenant); of him I hold, and to him I pay my Rent (which his Governor of New York hath now sent for) and for him I improve, as well as my selfe; And therefore I must take Leave to referr the L<sup>d</sup> Baltemore to his Royall Highnesse, who is a Prince doubtlesse of too much honnor, to keepe any mans Right, & of too great Resolution to deliver vp his owne whose Example I am resolved to follow

Philadelphia the 31<sup>st</sup>

W<sup>m</sup> Penn

October 1683.

A true Coppy of the  
Original examined

C: Baltemore